

REMARKS/ARGUMENTS

The applicants acknowledges with thanks receipt of the office action dated July 26, 2006. Claims 39-72 are pending. For the reasons set forth below, all claims are patentable over the art of record and in condition for allowance thereover.

Claims 39-40, 42-44, 47, 48, 50-52, 55, 56, 58-61, 64, 65, 67-70 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 2003/0048473 to Rosen in view of U.S. Patent No. 6,681,392 to Henry and further in view of U.S. Patent No. 6,594,690 to Cantwell. Claims 41, 49, 57, and 66 were rejected under 35 U.S.C. §103(a) as being unpatentable over Rosen in view of Henry in view of Cantwell and further in view of U.S. Patent No. 6,247,081 to Murata. Claims 46, 54, 63, and 72 were rejected under 35 U.S.C. §103(a) as being unpatentable over Rosen in view of Henry in view of Cantwell and further in view of U.S. Patent No. 6,256,668 to Slivka. The Examiner further stated that claims 53, 54, 62, 63, 71, and 72 recite limitations that have been addressed in claims 45 and 46, and are therefore rejected for the same reasons.

By way of review, the subject application is directed to a system and method for network-based uploading drivers for document processing devices. In one embodiment, a plurality of alternative software drivers or components of device software, including at least one software installation utility, is received into a memory integrated with a document processing controller, wherein the software drivers or components are for use with associated workstations or client machines in communication with a document processing device associated with the controller. A graphical user interface is generated on the associated workstations, wherein the user interface includes a list of each of the plurality of available software drivers stored in the memory. A user selectively directs loading of at least one of the plurality of software drivers to a storage area on an associated workstation via the graphical user interface. An installation utility that corresponds to the one or more selected drivers is sent to the workstation along with the driver. See, e.g., page 9 lines 13-19 and Figure 2. Operation of the software installation utility is then commenced on the associated workstation so as to install the at least one of the plurality of software drivers thereon.

In contrast to the forgoing, Henry is directed to a remote software installation system wherein “no special software is needed on the remote system.” See, e.g., Abstract, lines 11-13.

Thus, Henry teaches away from a system wherein a software installation utility is downloaded along with one more drivers, and then used to install such driver remotely. Accordingly, it is submitted that the Examiner's reliance on the teachings of Henry to supplement those teachings of Rosen and Cantwell is not appropriate. The Examiner relied on Henry to teach driver installation via a graphical interface, which the Examiner noted is missing from the teachings of Rosen and Cantwell. The teachings of Henry would cease to function in its intended manner in the event such a graphical interface were implemented in connection with the download and installation of at least one selected driver and a corresponding driver installation utility.

In accordance with the forgoing, amendment to each of the independent claims, claims 39, 47, 55 and 64 has been made to include a limitation wherein at least one driver or component of device software is selected for installation by a remote workstation or client machine via a graphical user interface. Each selected driver is communicated to the workstation, along with a corresponding installation utility.

Cantwell is directed to a system that downloads and installs executable code in a first step. Once this executable code is downloaded, installed, and run, a listing of available drivers is made. In a next step, a driver is selected from this list. Next, the selected driver is downloaded. Once the selected driver is downloaded, the executable code then installs the driver. In contrast to the teachings of Cantwell, the amended claims facilitate selection and download of at least one driver and an associated installation utility from the same graphical user interface, such as a web interface. See, e.g., Figure 4 noting "web install." Cantwell uses a web interface solely to commence download of the executable code, which must be downloaded, installed and run, and this running application allows for subsequent driver selection, download and installation. Accordingly, it is submitted that all claims, as amended, are far removed from the teachings of Cantwell.

Finally, as noted earlier, Rosen is directed to a system for "automatically communicating the built in device driver to the computing device," such that the "user is not required to locate, install and configure a device driver before using the printing device." This is far removed from the user driven driver selection, download and installation claimed herein.

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In view of the forgoing, it is respectfully submitted that all claims, as amended, are far removed from the art of record and in condition for allowance thereover. An early allowance of all claims is respectfully requested.

If there are any fees necessitated by the foregoing communication, the Commissioner is hereby authorized to charge such fees to our Deposit Account No. 50-0902, referencing our Docket No. 66329/14561.

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Respectfully submitted,



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